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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))	Docket Number (Optional) 45223/0125
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First named inventor: Joseph P. Donahue et al.

Application No.: 09/882,138

Art Unit: 2672

Filed: June 15, 2001

Examiner: Michael Razavi

Title: METHOD AND APPARATUS FOR REDUCING PRINTING ARTIFACTS OF
STITCHED IMAGES

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)

1. Petition fee See UNINTENTIONAL DELAYED NOTICE OF FOREIGN FILING OR, ALTERNATIVELY...
☐ Small entity-fee \$ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is June 13, 2002

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 10 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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May 9, 2003

Date

Telephone

Number: (626) 683-4519

Signature

Thomas J. Daly

Typed or printed name

Christie, Parker & Hale, LLP

Address

350 West Colorado Blvd., Ste. 500
Pasadena, California 91105Enclosures: ☐ Fee Payment☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

May 9, 2003

Date

Signature

Thomas J. Daly

Type or printed name of person signing certificate

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Sally Dermitt

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PETITIONS OFFICE

Applicant : Joseph P. Donahue et al.
Application No. : 09/882,138
Filed : June 15, 2001
Title : METHOD AND APPARATUS FOR
REDUCING PRINTING ARTIFACTS OF
STITCHED IMAGES

Grp./Div. : 2672
Examiner : Michael Razavi

Docket No. : 45223/TJD/O125

UNINTENTIONAL DELAYED NOTICE OF FOREIGN
FILING OR, ALTERNATIVELY, PETITION TO REVIVE

Assistant Commissioner for Patents
Washington, D.C. 20231

Post Office Box 7068
Pasadena, CA 91109-7068
May 9, 2003

Commissioner:

Applicant filed the above-identified application on June 15, 2001 along with a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) requesting non-publication. Thereafter, applicant changed its mind about foreign filing and on June 13, 2002 filed International Application No. PCT/US02/18913. Concurrently herewith, applicant is filing a Request to Rescind Previous Nonpublication Request 35 U.S.C. 122(b)(2)(B)(ii). Applicant understands that such a Request to Rescind may be filed at any time. The U.S. application has not yet been published. The corresponding International application was published on December 15, 2002.

At the time of foreign filing, applicant believed, through its attorney, that the filing of the PCT application designating the U.S.

Application No. 10/084,295

and being submitted to the U.S. Patent and Trademark Office as the Receiving Office was sufficient notice of the International application filing as required by 35 U.S.C. 122(b)(2)(B)(iii). Thus, there was no intent not to provide notice nor to delay notice.

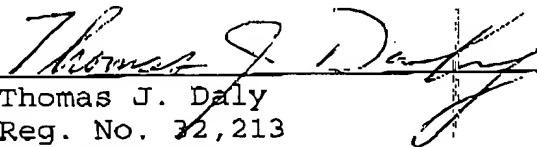
However, recently, on April 11, 2003, the U.S. Patent and Trademark Office issued a Notice raising questions about the procedure for providing notice of foreign filing. As noted above, Applicant believed that such notice was provided. Should that notice not be considered sufficient, this delayed notice was unintentionally delayed and therefore the application should not be regarded as abandoned. Should the Office decide that, despite the unintentional nature of any delay, the application should be regarded as abandoned subject to the unintentional nature of the delay being shown in a Petition to Revive, then applicant asks, in the alternative, that the enclosed Petition to Revive be considered.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of the application to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By


Thomas J. Daly
Reg. No. 32,213
626/795-9900

TJD/sad

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Name: Commissioner for Patents

Art Unit: 2672

Examiner: Michael Razavi

Phone:

From: Thomas J. Daly

Reg. No. 32,213

Re: Application No. 09/882,138; Filed June 15, 2001
Entitled METHOD AND APPARATUS FOR REDUCING PRINTING
ARTIFACTS OF STITCHED IMAGES

File: 45223/TJD/O125

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE
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Sally Dermitt

*Correspondence: Unintentional Delayed Notice of Foreign Filing Or, Alternatively, Petition to
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Patent Abandoned.

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**RESCISSION OF PREVIOUS
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(35 U.S.C. 122(b)(2)(B)(ii))
**AND, IF APPLICABLE,
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(35 U.S.C. 122(b)(2)(B)(iii))Send completed form to:
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P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 305-8568

Application Number	09/882,138
Filing Date	June 15, 2001
First Named Inventor	Joseph P. Donahue et al.
Title	Method and Apparatus For Reducing Printing Artifacts of Stitched Images
Atty Docket Number	45223/TJD/0125
Group Art Unit	2672
Examiner	Michael Razavi

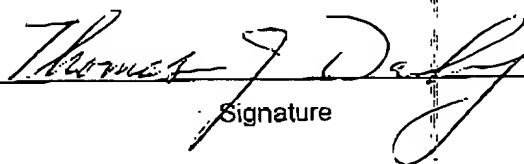
A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

May 9, 2003

Date



Signature

(626) 683-4519

Telephone Number

Thomas J. Daly

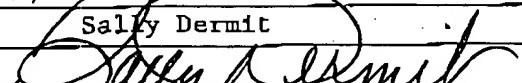
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Name (Print/Type)	Sally Dermitt	Date	May 9, 2003
Signature			

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